

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP2004/018506

A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl⁷ C07K16/28, C12N15/11, C12N5/06, A61K39/395

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl⁷ C07K16/28, C12N15/11, C12N5/06, A61K39/395

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

JSTPlus, WPI (DIALOG), BIOSIS (DIALOG), PUBMED

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02/033072 A1 (Chugai Pharmaceutical Co., Ltd.), 25 April, 2002 (25.04.02), & AU 200210917 A & EP 1327680 A1 & KR 2003055274 A & JP 2002/033072 A1 & CN 1469925 A & US 2004/0091475 A1 Page 4, line 19 to page 5, line 20; page 9, line 26 to page 13; pages 27, 68; Fig. 34	1-4
X	WO 02/033073 A1 (Chugai Pharmaceutical Co., Ltd.), 25 April, 2002 (25.04.02), & AU 200210918 A & EP 1327681 A1 & KR 2003055273 A & JP 2002/033073 A1 & CN 1469924 A & US 2004/0242847 A1 Page 4, line 27 to page 6, line 24; page 15, line 2 to page 16, line 28; page 31; Fig. 34	1-4

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier application or patent but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search
04 March, 2005 (04.03.05)

Date of mailing of the international search report
22 March, 2005 (22.03.05)

Name and mailing address of the ISA/
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

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Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:
(See extra sheet)

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:
Claims 1 to 4.

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

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Continuation of Box No.III of continuation of first sheet(2)

The matter common mutually or totally to claims 1 to 4, claims 5 to 7, claim 8, claim 9, claim 10, claims 11 to 12, claims 13 to 15, the part of claim 16 relating to a combination of sequences of individual SEQ ID NOS, the part of claim 17 relating to a combination of sequences of individual SEQ ID NOS, claim 19, claim 20, the part of claim 21 relating to a combination of sequences of individual SEQ ID NOS, the part of claim 23 relating to a combination of sequences of individual SEQ ID NOS, the part of claim 24 relating to a combination of sequences of individual SEQ ID NOS, the part of claim 26 relating to a combination of sequences of individual SEQ ID NOS, the part of claim 27 relating to a combination of sequences of individual SEQ ID NOS, the part of claim 29 relating to a combination of sequences of individual SEQ ID NOS and claim 32 resides in being an antibody capable of binding to a TPO receptor.

The antibody as used in the present application involves degraded antibodies including antibody fragments. As reported in documents 1 to 3, antibodies or antibody fragments capable of binding to a TPO receptor and those having agonistic activities among them are publicly known.

Therefore, being an antibody capable of binding to a TPO receptor cannot be considered as a special technical feature in the meaning within the second sentence of PCT Rule 13.2. Since there is no common matter seemingly being a special technical feature in the meaning within the second sentence of PCT Rule 13.2, no technical relationship in the meaning within PCT Rule 13 can be found out among these invention groups differing from each other.

Such being the case, the inventions according to claims 1 to 38 are considered not as a group of inventions so linked as to form a single general inventive concept but as invention groups having 62 inventions respectively relating to 62 different antibodies. Therefore, it is obvious that these claims do not comply with the requirement of unity of invention.

Document 1: International Publication No.99/10494 pamphlet

Document 2: International Publication No.02/33072 pamphlet

Document 3: International Publication No.02/33703 pamphlet